

BUSINESS REPORT
MONTANA SENATE
62nd LEGISLATURE - REGULAR SESSION

SENATE JUDICIARY COMMITTEE

Date: Friday, February 18, 2011
Place: Capitol

Time: 8:00 A.M.
Room: 303


BILLS and RESOLUTIONS HEARD:

SB 324 - Revise consumer protection laws and settlement proceeds
SB 344 - Enacting the Montana Property Fairness Act
SB 347 - Revise the private property assessment act

EXECUTIVE ACTION TAKEN:

SB 61, 121, 123, 308, 334, 344-TABLED
SB 324-DO PASS
SB 276-DO PASS
SB 347-DO PASS AS AMENDED

Comments:


SEN. Terry Murphy, Chair

MONTANA STATE SENATE

ROLL CALL

2011 JUDICIARY COMMITTEE

DATE: 2/18/11

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
CHAIRMAN, TERRY MURPHY	/	
VICE CHAIRMAN, JIM SHOCKLEY	/	
SENATOR JEFF ESSMANN	/	
SENATOR SHANNON AUGARE	/	
SENATOR ANDERS BLEWETT	/	
SENATOR GREG HINKLE	/	
SENATOR ROWLIE HUTTON	/	
SENATOR LARRY JENT	/	
SENATOR CLIFF LARSEN	/	
SENATOR LYNDA MOSS	/	
SENATOR JIM PETERSON	/	
SENATOR CHAS VINCENT	/	

MONTANA STATE SENATE

ROLL CALL VOTE 2011 JUDICIARY COMMITTEE

DATE 2/18/11 BILL NO. SB 276 MOTION NO. 1

MOTION: DO Pass

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREG HINKLE		<u>—</u>	
SENATOR LYNDIA MOSS	<u>—</u>		
SENATOR CHAS VINCENT		<u>—</u>	<u>—</u>
SENATOR LARRY JENT	<u>—</u>		
SENATOR ANDERS BLEWETT	<u>—</u>		
SENATOR SHANNON AUGARE	<u>—</u>		
SENATOR CLIFF LARSEN	<u>—</u>		
SENATOR ROWLIE HUTTON		<u>—</u>	
SENATOR JIM PETERSON	<u>—</u>	<u>—</u>	<u>—</u>
VICE CHAIRMAN SHOCKLEY		<u>—</u>	
SENATOR JEFF ESSMANN		<u>—</u>	<u>—</u>
CHAIRMAN MURPHY	<u>—</u>		

7/5

MONTANA STATE SENATE

ROLL CALL VOTE 2011 JUDICIARY COMMITTEE

DATE 2/18/11 BILL NO SB344 MOTION NO. 3

MOTION: Table

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	<u>If Proxy Vote, check here & include signed Proxy Form with minutes</u>
SENATOR GREG HINKLE		/	
SENATOR LYNDIA MOSS	/		
SENATOR CHAS VINCENT	/		/
SENATOR LARRY JENT	/		
SENATOR ANDERS BLEWETT	/		
SENATOR SHANNON AUGARE	/		
SENATOR CLIFF LARSEN	/		
SENATOR ROWLIE HUTTON	/		
SENATOR JIM PETERSON		/	/
VICE CHAIRMAN SHOCKLEY	/		
SENATOR JEFF ESSMANN	/		/
CHAIRMAN MURPHY	/		

10/2

MONTANA STATE SENATE

ROLL CALL VOTE 2011 JUDICIARY COMMITTEE

DATE 2/18/11 BILL NO SB 347 MOTION NO. 2

MOTION: amend

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREG HINKLE	—		
SENATOR LYNDIA MOSS	—		
SENATOR CHAS VINCENT	—		—
SENATOR LARRY JENT	—		
SENATOR ANDERS BLEWETT	—		
SENATOR SHANNON AUGARE	—		
SENATOR CLIFF LARSEN	—		
SENATOR ROWLIE HUTTON	—		
SENATOR JIM PETERSON	—		—
VICE CHAIRMAN SHOCKLEY	—		
SENATOR JEFF ESSMANN	—		—
CHAIRMAN MURPHY	—		

12(0)

MONTANA STATE SENATE

ROLL CALL VOTE 2011 JUDICIARY COMMITTEE

DATE 2/17/11 BILL NO. SB347 MOTION NO. 2
MOTION: DePaul Hallman

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	<u>If Proxy Vote, check here & include signed Proxy Form with minutes</u>
SENATOR GREG HINKLE	<u>—</u>		
SENATOR LYNDA MOSS		<u>—</u>	
SENATOR CHAS VINCENT	<u>—</u>		<u>—</u>
SENATOR LARRY JENT		<u>—</u>	
SENATOR ANDERS BLEWETT		<u>—</u>	
SENATOR SHANNON AUGARE		<u>—</u>	
SENATOR CLIFF LARSEN		<u>—</u>	
SENATOR ROWLIE HUTTON	<u>—</u>		
SENATOR JIM PETERSON	<u>—</u>		<u>—</u>
VICE CHAIRMAN SHOCKLEY	<u>—</u>		
SENATOR JEFF ESSMANN	<u>—</u>		<u>—</u>
CHAIRMAN MURPHY	<u>—</u>		

7/5

MONTANA STATE SENATE

ROLL CALL VOTE 2011 JUDICIARY COMMITTEE

DATE 2/18 BILL NO SB324 MOTION NO. 1

MOTION: Do Pass

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREG HINKLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SENATOR LYNDIA MOSS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SENATOR CHAS VINCENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SENATOR LARRY JENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SENATOR ANDERS BLEWETT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SENATOR SHANNON AUGARE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SENATOR CLIFF LARSEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SENATOR ROWLIE HUTTON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SENATOR JIM PETERSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VICE CHAIRMAN SHOCKLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SENATOR JEFF ESSMANN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CHAIRMAN MURPHY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>


7/5

MONTANA STATE SENATE

ROLL CALL VOTE 2011 JUDICIARY COMMITTEE

DATE 2/18/11 BILL NO SB 308 MOTION NO. 3

MOTION: _____

Do Pass as amended 

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREG HINKLE		<input checked="" type="checkbox"/>	
SENATOR LYNDIA MOSS	<input checked="" type="checkbox"/>		
SENATOR CHAS VINCENT		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
SENATOR LARRY JENT	<input checked="" type="checkbox"/>		
SENATOR ANDERS BLEWETT	<input checked="" type="checkbox"/>		
SENATOR SHANNON AUGARE	<input checked="" type="checkbox"/>		
SENATOR CLIFF LARSEN	<input checked="" type="checkbox"/>		
SENATOR ROWLIE HUTTON	<input checked="" type="checkbox"/>		
SENATOR JIM PETERSON		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
VICE CHAIRMAN SHOCKLEY		<input checked="" type="checkbox"/>	
SENATOR JEFF ESSMANN		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
CHAIRMAN MURPHY		<input checked="" type="checkbox"/>	

6/6

MONTANA STATE SENATE

ROLL CALL VOTE 2011 JUDICIARY COMMITTEE

DATE 2/18/11 BILL NO ~~308~~ ^{SB} 308 MOTION NO. 4

MOTION: Table

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREG HINKLE	<u>—</u>		
SENATOR LYNDIA MOSS		<u>—</u>	
SENATOR CHAS VINCENT	<u>—</u>		<u>—</u>
SENATOR LARRY JENT		<u>—</u>	
SENATOR ANDERS BLEWETT		<u>—</u>	
SENATOR SHANNON AUGARE		<u>—</u>	
SENATOR CLIFF LARSEN		<u>—</u>	
SENATOR ROWLIE HUTTON	<u>—</u>		
SENATOR JIM PETERSON	<u>—</u>		<u>—</u>
VICE CHAIRMAN SHOCKLEY	<u>—</u>		
SENATOR JEFF ESSMANN	<u>—</u>		<u>—</u>
CHAIRMAN MURPHY	<u>—</u>		

7/5

**AUTHORIZED
SENATE COMMITTEE PROXY**

I, Senator Jeff Essmann, request to be excused from the

JUDICIARY COMMITTEE

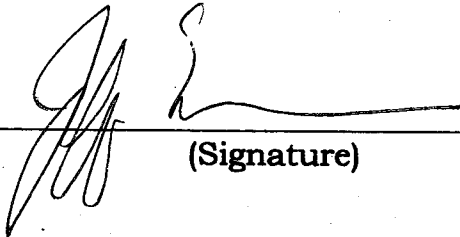
due to my other commitment. I desire to leave my proxy vote with:

Sen. Shockley

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
SB61 Title	X				
SB121 Title	X				
SB123 Title	X				
SB334 Title	X				
SB344 Amend	X				
SB344 Title	X				
SB347 amend	X				
SB347 Amendment	X				
SB324 Dotass	X				
SB308 Amend	X				
SB308 DotassAmend		X			
SB308 Title	X				
SB276 Dotass		X			

Sen.


(Signature)

Date

2/18/11

**AUTHORIZED
SENATE COMMITTEE PROXY**

I, **Senator Jim Peterson**, request to be excused from the

Judiciary COMMITTEE

due to my other commitment. I desire to leave my proxy vote with:


Vice Chair Terry Murphy

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
2/18/11		
SB 61 Table	X	
SB 121 Table	X	
SB 123 Table	X	
SB 334 Table	X	
SB 344 amend	X	
SB 344 Table		X
SB 347 amend	X	
SB 347 Dotential Amend	X	
SB 347 Dotress	X	
SB 308 amend	X	
SB 308 Dotential Amend		X
SB 308 Table	X	
SB 276 Dotress	X	

[illegible]

Sen.


(Signature)

Date _____

AUTHORIZED SENATE COMMITTEE PROXY

I, Senator Chas Vincent, request to be excused from the

Judiciary COMMITTEE

due to my other commitment. I desire to leave my proxy vote with:

[REDACTED]
Sm. Hinkle

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

Ent.
2/4/11

BILL/AMENDMENT	AYE	NO
SB 175	X	
SS 9	X	
SB 238	X	
2/10/11 SB 185 - Dotars		X
SB 167 - Dotars		X
SB 167 - Table	X	
2/16/11 SB 335 - Dotars	X	
2/17/11		
SB 337 Amend	X	
SB 337 Amend	X	

BILL/AMENDMENT	AYE	NO
2/18/11		
SB 61 Table	X	
SB 121 Table	X	
SB 123 Table	X	
SB 334 Table	X	
SB 344 amend	X	
SB 344 Table	X	
SB 347 amend	X	
SB 347 Dotars Amend	X	
SB 324 Dotars	X	
SB 308 Amend	X	
SB 308 Dotars Amend		X
SB 308 Table	X	
SB 276 Dotars		X

Sen. Chas Vincent
(Signature)

Date _____



SENATE STANDING COMMITTEE REPORT

February 18, 2011

Page 1 of 2

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 347** (first reading copy -- white) **do pass as amended.**

Signed: 
Senator Terry Murphy, Chair

And, that such amendments read:

1. Title, line 4 through line 6.

Following: "'AN ACT" on line 4

Strike: remainder of line 4 through "IMPLICATIONS;" on line 6

2. Title, line 7.

Strike: "ACTIONS"

Insert: "PRIVATE PROPERTY ASSESSMENTS"

3. Title, line 8.

Following: "WEBSITE;"

Insert: "AND"

4. Title, line 8 through line 9.

Following: "AGENCY ACTION" on line 8

Strike: remainder of line 8 through "MCA" on line 9

Insert: "FOR FAILURE TO PROVIDE REQUIRED NOTICE"

5. Page 1, line 13 through page 5, line 9.

Strike: section 1 through section 4 in their entirety

Renumber: subsequent sections

6. Page 6, line 6.

Strike: "5"

Insert: "1"

Committee Vote:

Yes 7, No 5

Fiscal Note Required __

7. Page 6, line 7.

Strike: "5"

Insert: "1"

8. Page 6, line 15 through line 20.

Strike: section 7 in its entirety

Renumber: subsequent sections

9. Page 6, line 26.

Strike: "5 through 7"

Insert: "1 and 2"

10. Page 6, line 28.

Strike: "5 through 7"

Insert: "1 and 2"

- END -



SENATE STANDING COMMITTEE REPORT

February 18, 2011

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 324** (first reading copy -- white) do pass.

Signed: _____

Terry Murphy
Senator Terry Murphy, Chair

- END -

Committee Vote:

Yes 7, No 5

Fiscal Note Required ☐

SB0324001SC.sdr

DL



SENATE STANDING COMMITTEE REPORT

February 18, 2011

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 276** (first reading copy -- white) **do pass.**

Signed:


Senator Terry Murphy, Chair

- END -

Committee Vote:

Yes 7, No 5

Fiscal Note Required ☐

SB0276001SC.sdr



BILL TABLED NOTICE

SENATE JUDICIARY COMMITTEE

The SENATE JUDICIARY COMMITTEE TABLED

SB 61 - Allow admission of prior crimes in sexual offense crimes against children

SB 121 - Limiting the number of consecutive terms for jury duty

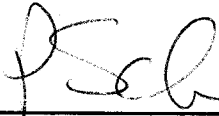
SB 123 - Enact disqualification requirement for supreme court justices

SB 308 - Provide for criminal offense for refusal of alcohol testing

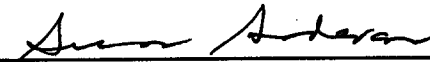
SB 334 - Repeal legality of medical marijuana

SB 344 - Enacting the Montana Property Fairness Act

, by motion, on Friday, February 18, 2011.



(For the Committee)



(For the Secretary of the Senate)

2:15 / 2-18-11
(Time) (Date)

February 18, 2011

Pam Schindler, Secretary

Phone: 444-4891

MONTANA STATE SENATE
Visitors Register
SENATE JUDICIARY COMMITTEE

Friday, February 18, 2011

SB 347 - Revise the private property assessment act

Sponsor: Senator Bob Lake

PLEASE PRINT

Name	Representing	Support	Oppose
James Price	Public Service Commission		✓
Kelly Casillas	MDOC		X
Tim Beaudin	MDOT		✓
George Doherty	MWF		✓
Gene Allison	WLI/BSD		✓
Chuck Demuth	UPOM	X	
Ali Burdick	Attorney General's Office		X
John Youngberg	MEBE	X	
Jordan Morris	L & C. County		X
Dustin Stewart	MT Building Industry	X	
Bob Lane	DFNP		X
Jim Gingers	MMGA		X
Hiedi Handford	Patients Out of Time		X
JOHN BINGHAM	SELF	X	
Coleen Appel	MT Realtors	X	
LINDA STOLL	MT Assn of Planners		✓
Stacy Frazier	I-143		X
Condace West	DNRC		X
Janet Ellis	MT Audubon		X
Deaf Johnson	MEIC		X
Brianna Randall	CFC		X
Mark Hughes	MTU		X
Jeff Barber	MT INL		X

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

CAROL LAMBERT

WIFE

X

SENATE JUDICIARY COMMITTEE

Sponsor: Senator Bob Lake

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE
Visitors Register
SENATE JUDICIARY COMMITTEE

Friday, February 18, 2011

SB 344 - Enacting the Montana Property Fairness Act

Sponsor: Senator Jason Priest

PLEASE PRINT

Name	Representing	Support	Oppose
James Paice	Public Service Commission		X
Kelly Casillas	MDOC		X
Tim Rendon	MOT		✓
George Golie	MWF		X
Jared DePay	MAPO		X
Gene Allison	DLI/BSID		X
Chuck Denouh	UPom	X	
John McDonald	City of Missoula		X
Al Boringdon	Attorney General's office		X
John Youngberg	MEBF	X	
Joseph Sands	MSCOPF		X
Gordon Maris	L + C. County		X
Dustin Stewart	MT Building Industry	X	
Bob Lane	DFNP		X
Tim Gingeey	MMGA		X
Hiedi Handford	Patients Out of Time		X
Alec Hansen	MLCF		X
Stan Fraser	1-143		X
JOHN BINGHAM	SELF	X	
Glenn Oppel	MT Realtors	X	
LINDA STOLL	MT AG & PLANNERS		✓
Andace West	DNRC		X
Janet Ellis	MT Audubon		X

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Brianna Randall
 Jeff Barber

CFC
 MT INC

X
 X

SENATE JUDICIARY COMMITTEE

Sponsor: Senator Jason Priest

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

SENATE JUDICIARY COMMITTEE

Friday, February 18, 2011

SB 324 - Revise consumer protection laws and settlement proceeds

Sponsor: Senator Joe Balyeat

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.